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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,141	03/24/2004	Kang Soo Seo	1740-000092/US	2764
30593 7590 09/16/2009 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195				
EXAMINER				
WENDMAGEGN, GIRMSEW				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
09/16/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/807,141

**Applicant(s)**

SEO ET AL.

**Examiner**

GIRUMSEW WENDMAGEGN

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/4/2009 has been entered.

### ***Response to Arguments***

Applicant's arguments with respect to claim1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claim1-4, 6-15, 17-19** is rejected under 35 U.S.C. 102(e) as being anticipated by deCarmo (Patent No US 6,643,450),

Regarding claim1, 10, 11, 12, a computer-readable medium storing a data structure managing reproduction of multi-path video data from a computer-readable medium by a reproducing apparatus, comprising: a data area storing the multi-path video data; and a management information area storing title management information (see column3 line25-45, figure5 and 7), the title management information including a plurality of titles, each title identifying a reproduction path of the multi-path video data for reproduction of the multi-path video data at the reproduction path assigning a plurality of titles to the multi-path video data(see column8 line66-column9 line22, figure7), at least one of the titles being an entry title defining a title block reproduction start point during a title jump (see figure7 pointer type), the title jump stopping reproduction of video data identified by one of the titles, and beginning reproduction of video data identified by the entry title, at least one of the titles being a non-entry title that is skipped during the title jump(see column2 line57-61; column8 line19-28).

Regarding claim2, deCarmo anticipates the computer-readable medium of claim 1, wherein each of the titles has type information to identify whether it is entry title or not (see figure7, pointer type).

Regarding claim3, deCarmo anticipates the computer-readable medium of claim 2, wherein titles not pertaining to the title block are specified to entry titles by the type information (see figure7, pointer type).

Regarding claim4, deCarmo anticipates computer-readable medium of claim 1, wherein the entry and non-entry titles pertaining to the title block are regarded as a single title when title jump is conducted and title selection menu is displayed (see column8 line19-28).

Regarding claim6, deCarmo anticipates the computer-readable medium of claim 1, wherein, if jump to a previous/next title is requested during reproduction of a title pertaining to the title block, another entry title adjacent to and not pertaining to the title block is reproduced (see column8 line19-28).

Regarding claim7, deCarmo anticipates the computer-readable medium of claim 1, wherein the different reproduction paths are assigned to different parental levels, respectively (see figure7 block 712).

Regarding claim8, deCarmo anticipates the computer-readable medium of claim 1, wherein each of the titles has information to access a playlist including at least one playitem that points to a part of the multi-path video data (see column3 line25-45, DVD).

Regarding claim9, 15, 19, deCarmo anticipates the computer-readable medium of claim1, wherein the title management information includes title selection menu data or information to access title selection menu data (see column3 line25-45).

Regarding claim17, deCarmo anticipates an apparatus for reproducing a data structure for managing reproduction of multi-path video data recorded on a recording medium, the apparatus comprising: a pickup configured to reproduce data recorded on the recording medium (see figure3 block 204); a decoder configured to present the reproduced data (see figure3 block 210); and a controller, operably coupled to the pickup, configured to control reproducing title management information from a management information area on the recording medium and the multi-path video data from a data area on the recording medium based on the title management information (see figure3 block 200), the title management information including a plurality of titles, each title identifying a reproduction path of the multi-path video data for reproduction of the multi-path video data at the reproduction path assigning a plurality of titles to the multi-path video data(see column8 line66-column9 line22, figure7), at least one of the titles being an entry title defining a title block reproduction start point during a title jump (see figure7 pointer type), the title jump stopping reproduction of video data identified by one of the titles, and beginning reproduction of video data identified by the entry title, at least one of the titles being a non-entry title that is skipped during the title jump(see column2 line57-61; column8 line19-28).

Regarding claim18,deCarmo anticipates the apparatus of claim 17, wherein, if jump to a previous/next title is requested during reproduction of a title pertaining to the

title block, the controller is configured to control the pickup to reproduce another entry title adjacent to and not pertaining to the title block (see column8 line19-28).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim5, 16, 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over deCarmo (Patent No US 6,643,450).

Regarding claim5, 16, 20, see the teaching of deCarmo above. deCarmo does not teach selecting from the title block within a predetermined time; a video data section associated with a title in the title block specified to an entry title is reproduced. However, it is old and well known in the art to reproduce from the start after predetermined waiting time. Therefore official notice is taken.

One ordinary skill in the art at the time the invention was made would have been motivated to incorporate old and well known method of start reproducing after predetermined waiting time in deCarmo system because it would make the presentation much effective.

Therefore, the invention as a whole would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (Jung et al Pub No US 2004/0076402).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIRUMSEW WENDMAGEGN whose telephone number is (571)270-1118. The examiner can normally be reached on 7:30-5:00, M-F, all Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



/Girumsew Wendmagegn/  
Examiner, Art Unit 2621

/JAMIE JO ATALA/

Examiner, Art Unit 2621